

Remarks

Procedural Status

The Detailed Action mailed June 28, 2005 indicates that “the [f]inality of the Office Action mailed 6/4/01 has been withdrawn and prosecution on the merits continues.” See Paper 062305 at page 2, first paragraph. Applicants wish to clarify that the rejections made in the June 4, 2001 office action were subsequently overcome and/or withdrawn, and the claims were indicated to be “allowable pending an interference search.” See Paper No. 26, mailed 2/5/02. The allowability of the claims was reiterated in the communication mailed 10/22/02 (Paper No. 28). Therefore, the instant Office Action re-opens prosecution of previously allowed claims in order to raise new issues.

Status of the Claims

Upon entry of this amendment, claims 98-114, 117-126, and 145 are pending. Applicants thank the Examiner for indicating that claims 98-106 and 136-144 are allowed. Claims 95-97, 115-116, and 127-135 have been cancelled without prejudice or disclaimer. Claims 107, 109, 110, and 112 have been amended to depend from claim 98. Claims 119, 121, 122, and 123 have been amended to depend from claim 117. Claim 143 has been amended to recite an isolated host cell. Applicants reserve the right to pursue cancelled subject matter in one or more continuing applications. None of these amendments introduces new matter.

Applicants note that claims 115-126 are included in the list of rejected claims in the Office Action Summary mailed June 28, 2005; however these claims are not addressed in the Detailed Action. Applicants therefore request clarification of the status of pending claims 117-126 (claims 115 and 116 being cancelled herein).

Rejections Under 35 U.S.C. § 112, first paragraph – Scope of Enablement

Claims 95-97, 107-114, 127-135 and 145-147 have been rejected under 35 U.S.C. 112, 1st paragraph as allegedly not enabled for the full scope of the claims. Applicants respectfully disagree. However, solely to expedite the prosecution of this application, claims 95-97 and 127-135 have been cancelled. Claims 107-114 have been amended to depend either directly or indirectly from allowed claim 98. Claim 145 has been amended to recite an isolated host cell. Applicants submit that these amendments obviate the instant rejection, and respectfully request that the rejection be reconsidered and withdrawn.

Rejections Under 35 U.S.C. § 112, first paragraph – Written Description

The written description rejection at pages 3-4 of the office action does not identify any claims by number. However, the rejection is directed to claims reciting “mature” proteins, and so for the purpose of this response Applicants will assume that the rejection is directed to claim 115 and its dependent claims 116 and 119-126. Should this rejection be maintained in a subsequent action, Applicants respectfully request clarification of the rejected claims.

Applicants respectfully disagree with the rejection. However, solely to expedite the prosecution of this application, claims 115 and 116 have been canceled, and claims 119-126 have been amended to depend from claim 117. Applicants submit that these amendments obviate the instant rejection, and respectfully request that the rejection be reconsidered and withdrawn.

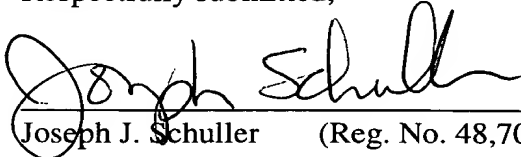
Conclusion

Applicants respectfully request that the above-made remarks be entered and made of record in the file history of the instant application. The Examiner is invited to call the undersigned at the phone number provided below if any further action by Applicant would expedite the examination of this application.

If there are any fees due in connection with the filing of this paper, please charge the fees to our Deposit Account No. 08-3425. If a fee is required for an extension of time under 37 C.F.R. § 1.136, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

Dated: September 27, 2005


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